

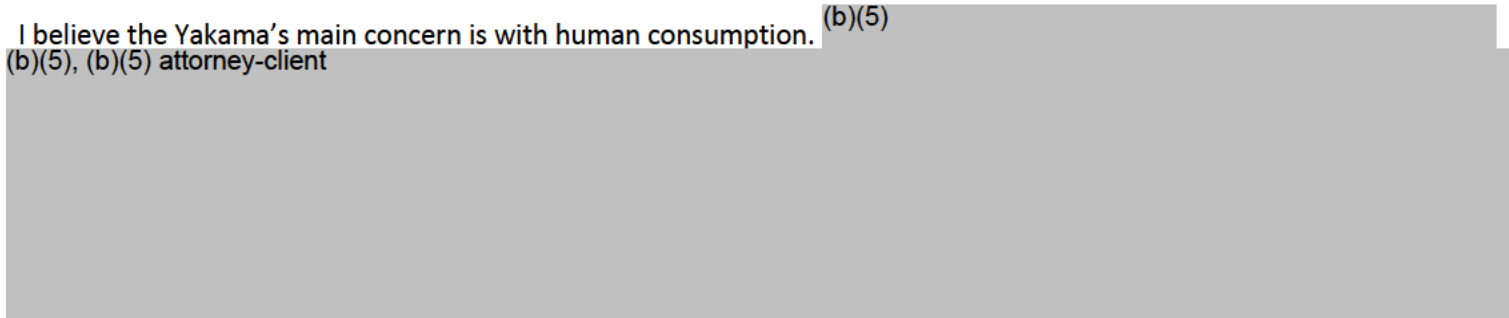
From: "Gustavson, Karl" <Gustavson.Karl@epa.gov>
To: "Cora, Lori" <Cora.Lori@epa.gov>
"Sheldrake, Sean" <sheldrake.sean@epa.gov>
"Young, Hunter" <Young.Hunter@epa.gov>
"Scott Coffey" <coffeyse@cdmsmith.com>
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"Vickstrom, Kyle E." <vickstromke@cdmsmith.com>
"Tzou, Cassandra" <TzouKH@cdmsmith.com>
Date: 10/9/2019 9:11:29 AM
Subject: RE: TZW/Table 17-ROD Responsiveness language (deliberative)

Hi all, I've been out for a bit. Should we discuss?

Karl Gustavson
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From: Cora, Lori <Cora.Lori@epa.gov>
Sent: Wednesday, October 09, 2019 11:57 AM
To: Sheldrake, Sean <sheldrake.sean@epa.gov>; Young, Hunter <Young.Hunter@epa.gov>; Scott Coffey <coffeyse@cdmsmith.com>; Wardah Azhar <azharw@cdmsmith.com>; Vickstrom, Kyle E. <vickstromke@cdmsmith.com>; Tzou, Cassandra <TzouKH@cdmsmith.com>
Cc: Gustavson, Karl <Gustavson.Karl@epa.gov>
Subject: RE: TZW/Table 17-ROD Responsiveness language (deliberative)

I believe the Yakama's main concern is with human consumption. (b)(5)
(b)(5), (b)(5) attorney-client



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Cc: Gustavson, Karl <Gustavson.Karl@epa.gov>
Subject: RE: TZW/Table 17-ROD Responsiveness language (deliberative)

Thanks Hunter.

(b)(5)



S

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To: Scott Coffey <coffeyse@cdmsmith.com>; Wardah Azhar <azharw@cdmsmith.com>; Vickstrom, Kyle E. <vickstromke@cdmsmith.com>; Sheldrake, Sean <sheldrake.sean@epa.gov>; Tzou, Kassandra <TzouKH@cdmsmith.com>
Subject: TZW/Table 17-ROD Responsiveness language (deliberative)

Hey Table 17 squad,

Lori passed along the following language from the ROD responsiveness summary:

Response to Comment 2.3.1 (page 2-25)

As previously indicated, CERCLA 121(d)(1) requires that the remedial action attain a degree of cleanup and control of further releases at a minimum which assures the protection of human health and the environment, contrary to comments that only state standards should be applied, EPA was justified in using the more stringent criteria identified above in lieu of the State of Oregon WQS for COCs in media that relate to unacceptable risks identified in the risk assessments to actual or potential receptors as represented in the RAOs. In some cases, cleanup levels established for COCs in groundwater for ecological receptors in pore water appear to be the federal National Recommended Water Quality Criteria established under Section 304(a) of the Clean Water Act; however, the baseline risk assessment established these groundwater cleanup levels as protective levels for acceptable risk. Thus, EPA has not applied a surface water criterion to groundwater but rather used a risk-based level protective of receptors as defined by the risk assessment to achieve an RAO.

This points to EPA not applying NWQC numbers to groundwater, rather risk assessment derived numbers. Have we added this to our thinking yet? I feel like this could help with the YN discussions on TZW as well as the origin of some of the Table 17 numbers.

Apologies if this has already been brought up.

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